

REMARKS

Claims 1-3 and 34-40 are pending in the present application. Claims 1-3 and 34-40 are rejected over prior art. Applicants request reconsideration and allowance in view of the following remarks.

CLAIM REJECTIONS – 35 USC §102

Claims 1, 3, 34, 35, and 37 are rejected under 35 USC 102(e) as being anticipated by Anvekar et al. (USP 6,684,072). Applicants traverse this rejection.

The Examiner reiterates and maintains that Anvekar et al. teaches all the limitations of claim 1. In rebuttal to Applicants' remarks that Anvekar et al. fails to teach each and every limitation of claim 1, the Examiner newly alleges that Anvekar et al. teaches "prepaid accounts," which can be used for call connection exclusive of a provider's involvement. For support the Examiner cites column 4, lines 46-59, in Anvekar et al.

With all due respect, it appears that the Examiner does not fully comprehend the technical teachings of Anvekar et al. For example, the Examiner appears to have equated a central prepaid data center (CPADC) 400 with a prepaid account, like a prepaid phone card. However, nowhere in Anvekar et al. does it teach a prepaid phone card.

The Examiner further alleges that Anvekar et al. teaches "services like call originating or terminating at roaming cell phones are established, exclusive of a provider's involvement." (Emphasis added.) For legal support the Examiner alleges that examiners may broadly interpret the claims.

First, Applicants are not aware of any telecommunication system where a user alone can establish call origination and termination, exclusive of a provider's involvement. This type of service or technology simply does not exist, and the present claims do not recite such limitations. In addition, nowhere in Anvekar et al. does it teach "services like call originating or terminating at roaming cell phones are established, exclusive of a provider's involvement."

In column 4, lines 46-59, Anvekar et al. clearly teaches that a call processor 410 within a CPADC 400 processes functions such as call origination and termination. The functionality of the CPADC 400 is the same as a service processing node (SPN) 300. Column 4, lines 40-43. As it can be clearly seen in FIG. 1, the CPADC 120 and/or SPN 130a 130b are part of the service provider.

For at least the reasons given above, claim 1 is patentable over the Anvekar et al. Dependent claim 3 is also patentable for depending on an allowable base claim.

Independent claim 34 is a method claim, which recites, *inter alia*, “allowing a user to select a service by accessing the database without service provider intervention[.]” For the same reasons given above with respect to the patentability of claim 1, claim 34 is also patentable for the same reasons. Dependent claims 35 and 37 are also patentable for depending on an allowable base claim.

CLAIM REJECTIONS – 35 USC §103

Claims 2, 36 and 40 are rejected under 35 USC 103(a) as being unpatentable over Anvekar et al. in view of Bianconi et al. (US Application 2002/0119766). Applicants traverse this rejection.

Without acquiescing to the Examiner’s rejection reasons with regard to claims 2, 36, and 40, and as remarked above, claims 1 and 34 are patentable over Anvekar et al., because Anvekar et al. fails to teach or suggest “a user end in operative communication with the service data node, the service data node allowing the user to implement service creation and service negotiation without service provider intervention,” as recited in claim 1. (Emphasis added.) In addition, Bianconi et al. also fails to teach or suggest “a user end in operative communication with the service data node, the service data node allowing the user to implement service creation and service negotiation without service provider intervention,” as recited in claim 1 (Emphasis added.) Therefore, even if the teachings of Anvekar et al. and

Bianconi et al. are combined, the combination would still fail to teach all the limitations recited in claims dependent 2, 36 and 40.

Accordingly, claims 2, 36, and 40 are patentable over the Examiner's cited references.

Claim 38 is rejected under 35 USC 103(a) as being unpatentable over Anveker et al. in view of Lohtia et al. Applicants traverse this rejection.

Without acquiescing to the Examiner's rejection reasons with regard to claims 34, and as remarked above, claim 34 is patentable over Anveker et al., because Anveker et al. fails to teach or suggest "allowing a user to select a service by accessing the database without service provider intervention," as recited in claim 34. (Emphasis added.) In addition, Lohtia et al. also fails to teach or suggest "allowing a user to select a service by accessing the database without service provider intervention," as recited in claim 34. Therefore, even if the teachings of Anveker et al. and Lohtia et al. are combined, the combination would still fail to teach all the limitations recited in dependent claim 38.

Accordingly, claim 34 is patentable over the Examiner's cited references.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-3 and 34-40 in connection with the present application is earnestly solicited.

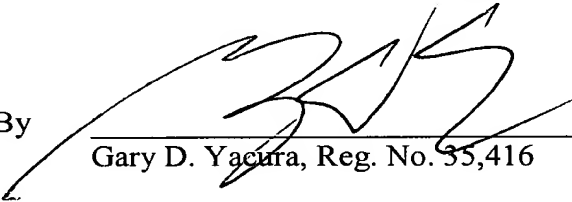
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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